

## TRUSTEES' DEED

023481

45-1-87 41-102

KNOW ALL MEN BY THESE PRESENTS, That we, ARTHUR B. LEVINE, ESQ., of South Palm Beach, Florida and FLORENCE S. LOBRON, of Sarasota, Florida, Trustees of Fund B u/w/o GEORGE H. STERNS, dated August 12, 1964, by virtue of the authority given by said Will and the laws of the State of Maine, in our capacities as Trustees as aforesaid, and in consideration of one dollar and other valuable considerations to us paid by SHAW'S REALTY CO., a Maine corporation, whose mailing address is Mall Plaza, South Portland, Maine 04106, the receipt whereof is hereby acknowledged do hereby sell and convey unto the said SHAW'S REALTY CO., its successors and assigns forever, the parcel of land described in Exhibit A which is attached hereto and incorporated herein, subject to the provisions of said Exhibit A.

TRANSFER  
TAX  
PAID

TO HAVE AND TO HOLD the above-granted premises with all the privileges and appurtenances thereof unto the said Shaw's Realty Co., its successors and assigns forever, and the said trustees in their said capacities do hereby covenant to and with the said Shaw's Realty Co., its successors and assigns, that they have power under said Will to convey this property as aforesaid; and that in making this conveyance, they have in all respects acted in pursuant of the authority granted in and by said Will.

IN WITNESS WHEREOF, the said Arthur B. Levine, Esq., and Florence S. Lobron, have set their hands and seals in their capacity as co-trustees this 5<sup>th</sup> day of September, 1987.

*Arthur B. Levine*

Arthur B. Levine, Esq.  
Co-Trustee under Fund B  
u/w/o George H. Sterns

*Florence S. Lobron*

Florence S. Lobron  
Co-Trustee under Fund B  
u/w/o George H. Sterns

STATE OF MAINE  
COUNTY OF KENNEBEC

September 5, 1987

Personally appeared the above-named Arthur B. Levine, Esq. and acknowledged the above instrument to be his free act and deed in his said capacity.

*Donald W. Perkins*

Notary Public *Donald W. Perkins*

MY COMMISSION EXPIRES  
JANUARY 7, 1991



STATE OF MAINE  
COUNTY OF KENNEBEC

September 5, 1987

Personally appeared the above-named Florence S. Lobron and acknowledged the above instrument to be her free act and deed in her said capacity.

*Donald W. Perkins*

Notary Public *Donald W. Perkins*

MY COMMISSION EXPIRES  
JANUARY 7, 1991



## EXHIBIT A

A certain lot or parcel of land situated in Waterville, Maine and bound and described as follows:

Commencing on the northerly sideline of Kennedy Memorial Drive (also known as Oakland Road) at an iron pin at the westerly corner of land now or formerly of Charles K. and Nancy C. Leadbetter; thence N 52° 03' 41" E 783.43 feet along part of a wire fence and stone wall to a point marked by an iron pin at the northerly corner of property now or formerly of Edward D. and Priscilla T. Herring; thence N 51° 43' 34" E 235.09 feet along a portion of a chain link fence to an iron pin located at the northerly corner of land now or formerly of Raymond R. and Therese S. Parent; thence running N 52° 13' 32" E 774.63 feet to an iron pin located on the property line of property now or formerly of Alvira M. Lagomarsino; thence N 52° 54' 27" E 121.21 feet through an iron pin to an iron pin located on the property line of property now or formerly of Lennard W. Warner, Jr. and Louise S. Warner; thence turning and running N 61° 38' 36" W 431.41 feet partially along a stone wall and wire fence along property now or formerly of the Sisters of Charity of Waterville, Maine (Seton Hospital) to a point marked by an iron pin; thence turning and running S 53° 01' 35" W 366.55 feet along property now or formerly of Mid-Maine Medical Center 366.65 feet to a point marked by an iron pin; thence continuing S 74° 25' 22" W 1,084.19 feet along property of said Mid-Maine Medical Center to a point marked by an iron pin at property now or formerly of Walter B. Frame, Sr., et al; thence turning and running S 52° 21' 20" W 719.66 feet along a partial stone wall and property now or formerly of Walter B. Frame, Sr., et al to a point marked by an iron pin on the northerly sideline of said Kennedy Memorial Drive; thence turning and running S 61° 04' 20" E along the northerly sideline of Kennedy Memorial Drive 627.90 feet to a point marked by an existing highway monument; thence continuing along said northerly sideline of Kennedy Memorial Drive S 61° 02' 18" E 258 feet to an iron pin and the point of beginning. Also conveying any interest the Grantors have in Kennedy Memorial Drive.

Being the same premises as shown on a survey by K & K Land Surveyors, Inc., Oakland, Maine dated 11/85 on a plan entitled "Topography of the Property of George H. Stearns Estate Prepared for Morrison Geotechnical Engineering".

Being the same premises conveyed by Fred J. Sterns to Florence S. Lobron, formerly Florence S. Sterns and Arthur B. Levine, Trustees of Trust B established under Article FIFTH of the Last Will and Testament of George H. Sterns, said deed being dated December 9, 1982, and recorded in Kennebec County Registry of Deeds

in Book 2534, Page 16; from Federal Trust Company and Lester T. Jolovitz, Trustees of the trusts established under Article FOURTH of the Last Will and Testament of Myra A. Sterns to said Florence S. Lobron and Arthur B. Levine, Trustees of Trust B described above, said deed being dated December 14, 1982, and recorded in Kennebec County Registry of Deeds in Book 2534, Page 18; and from Federal Trust Company and Lester T. Jolovitz, Trustees of the trusts established under Article SECOND of the Last Will and Testament of Herbert D. Sterns, to said Florence S. Lobron and Arthur B. Levine, Trustees of Trust B described above, said deed being dated December 14, 1982, and recorded in Kennebec County Registry of Deeds in Book 2534, Page 21.

Subject to the following:

- (i) Sewer line and easement rights acquired by the Waterville Sewerage District by instrument dated May 10, 1972 and recorded in the Kennebec County Registry of Deeds in Book 1586, Page 114.
- (ii) Rights acquired by the State of Maine (State Highway Commission) by instruments dated May 18, 1960 and June 26, 1963 and recorded in said Kennebec County Registry of Deeds, respectively in Book 1193, Page 469 and Book 1306, Page 48.
- (iii) Rights acquired by Central Maine Power Company by instrument dated April 21, 1944 and recorded in said Kennebec County Registry of Deeds in Book 801, Page 480.

In order to encourage a broad range of retail sales facilities designed to enhance overall commercial potential and vitality, the Premises shall be restricted against use by full line department stores, by way of example, such as those that are currently being operated under the name Porteous, Mitchell & Braun, J. C. Penney, Jordan March or Filene's; provided, however, this restriction on the Premises is not applicable to discount department stores, by way of example, such as those currently operated under the name Ames, Bradlees, K Mart, Zayre's or Rich's, nor applicable to catalogue stores, by way of example, such as those currently operated under the name Service Merchandise or Best Products. Said Premises shall be so restricted of record against such use by full line department stores for such time as Grantors, their successors

and assigns, are operating a department store at 93 Main Street (or in such expanded or relocated store) in Waterville, Maine.

RECEIVED KENNEBEC SS.  
1987 SEP 11 PM 3:45  
RECORDED FROM ORIGINAL